



2009 SENATE BILL 598

1 **AN ACT** *to renumber and amend* 117.20 (1); *to amend* 117.22 (1) (b) 1.; and *to*
2 *create* 117.08 (5) and 117.20 (1) (b) of the statutes; **relating to:** the procedure
3 for school district consolidations.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 117.08 (5) of the statutes is created to read:
5 117.08 (5) ALTERNATIVE TIMELINES. (a) If each school board adopting a
6 resolution under sub. (1) specifies in its resolution that the alternative timeline
7 under this paragraph applies, the dates specified in subs. (2), (3) (a) 2., and (4) are
8 changed as follows:
9 1. The resolutions ordering or denying a consolidation under sub. (2) shall be
10 adopted in the first December beginning after the adoption of resolutions by 2 or

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1 more school boards under sub. (1). Failure of a school board to adopt a resolution
2 either ordering or denying the consolidation before January 1 constitutes a denial of
3 the consolidation by that school board.

4 2. The petition requesting a referendum under sub. (3) (a) 2. shall be filed before
5 the 2nd Tuesday of February following the adoption of the resolutions under sub. (2).

6 3. If a majority of the votes cast in each affected school district is in favor of
7 consolidation, the school districts shall be consolidated on the 2nd following July 1.

8 (b) If each school board adopting a resolution under sub. (1) specifies in its
9 resolution that the alternative timeline under this paragraph applies, the dates
10 specified in subs. (2) and (3) (a) 2. are changed as follows:

11 1. The resolutions ordering or denying a consolidation under sub. (2) shall be
12 adopted in the first May beginning after the adoption of resolutions by 2 or more
13 school boards under sub. (1). Failure of a school board to adopt a resolution either
14 ordering or denying the consolidation before June 1 constitutes a denial of the
15 consolidation by that school board.

16 2. The petition requesting a referendum under sub. (3) (a) 2. shall be filed before
17 the 2nd Tuesday of July following the adoption of resolutions under sub. (2).

18 **SECTION 2.** 117.20 (1) of the statutes is renumbered 117.20 (1) (a) and amended
19 to read:

20 117.20 (1) (a) If Except as provided in par. (b), if a referendum is required under
21 ss. 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in
22 November following receipt of the petition or adoption of the resolution under s.
23 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a referendum is required
24 under s. 117.105, it shall be held on the Tuesday after the first Monday in the 2nd

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1 November following receipt of the petition or adoption of the resolution under s.
2 117.105 (1).

3 **SECTION 3.** 117.20 (1) (b) of the statutes is created to read:

4 117.20 (1) (b) 1. If the alternative timeline under s. 117.08 (5) (a) is used and
5 a referendum is required, it shall be held on the first Tuesday in April following
6 receipt of the petition or adoption of the resolution under s. 117.08 (3) (a).

7 2. If the alternative timeline under s. 117.08 (5) (b) is used and a referendum
8 is required, it shall be held on the 2nd Tuesday in September following receipt of the
9 petition or adoption of the resolution under s. 117.08 (3) (a).

10 **SECTION 4.** 117.22 (1) (b) 1. of the statutes is amended to read:

11 117.22 (1) (b) 1. If no referendum is required, on the 2nd Tuesday of September
12 following the adoption of the resolution under s. 117.08 (2) or 117.09 (2); except that
13 if the alternative timeline under s. 117.08 (5) (a) is used, on the 2nd Tuesday of
14 February following the adoption of the resolution under s. 117.08 (2); and if the
15 alternative timeline under s. 117.08 (5) (b) is used, on the 2nd Tuesday of July
16 following the adoption of the resolution under s. 117.08 (2).

17 **SECTION 5. Initial applicability.**

18 (1) The treatment of section 117.08 (5) of the statutes first applies to resolutions
19 adopted under section 117.08 (1) of the statutes on the effective date of this
20 subsection.

21 (END)